THE HONOURABLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No :24452 of 2007

DATED:19-11-2007

BETWEEN:

Bullikollu Ramu.

..... PETITIONER

AND

The Revenue Divisional Officer,
Machilipatnam.
Krishna District & another.

.....RESPONDENTS

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ORDER:

Heard learned counsel appearing for the petitioner as well as the learned Government Pleader for Revenue appearing for the respondents.

2. Petitioner seeks a writ of mandamus declaring the action of the 1st respondent in not disposing of the stay petition or appeal itself, dated 30-10-2007, filed by the petitioner against the order passed by the 2nd respondent in proceedings RCA.264/2007, dated 10-08-2007, as illegal, and arbitrary.

3. It is the case of the petitioner that as against the resumption order passed by the 2nd respondent-Tahsildar, Movva mandal, under Section 4-A (1) of the A.P.Assigned Lands (Prohibition of Transfers) Act, 1977 (for brevity, 'the Act') on the ground that the petitioner is found in possession of the assigned land of an extent of

Ac.0.90 cents in Sy.No.329/4 situated at Chinna Muttevi village, Movva mandal, Krishna District, which was assigned in favour of one Punukollu Veera Raghavaiah in contravention of sub-Section 2 of Section 3 of the Act, petitioner filed an appeal before the 1st respondent-Revenue Divisional Officer, Machilipatnam on 30-10-2007 along with application for grant of stay. It is further stated that even before the appeal is considered and disposed, 2nd respondent is taking steps to dispossess the petitioner.

4. Having regard to the facts and circumstances without

expressing any opinion on the merits of the case, 2nd respondent is directed not to dispossess the petitioner from the land in question pending disposal of the appeal before the 1st respondent-Revenue Divisional Officer, Marredpalli filed against the resumption order of the 2nd respondent in RCA.264/2007, dated 10-08-2007.

5. Accordingly, Writ Petition is disposed of. There shall be no order as to costs.

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V.ESWARAIAH,J

19th November, 2007.

Note:

Furnish C.C. of the order
by 20-11-2007.

B/o
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